

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

ROBERT D. COLEMAN,)	
)	
Plaintiff,)	
)	
v.)	No. 2:21-cv-00376-JRS-MG
)	
S. TIERNEY, et al.)	
)	
Defendants.)	

ORDER SCREENING AMENDED COMPLAINT

Indiana prisoner Robert Coleman is suing three correctional officers for excessive force and failure-to-protect under the Eighth Amendment. The defendants have not filed a responsive pleading. After the Court issued an order screening the original complaint, Mr. Coleman filed an amended complaint, which is now the operative complaint in this action. *See* Fed. R. Civ. P. 15(a)(1) (the plaintiff may amend the complaint within 21 days of service on the opposing party).

Because Mr. Coleman is a prisoner, the Court must screen the amended complaint and dismiss claims that are frivolous, malicious, or fail to state a claim upon which relief may be granted. 28 U.S.C. § 1915A. Pro se complaints such as the one filed by Mr. Coleman are construed liberally and held to a less stringent standard than formal pleadings drafted by lawyers. *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017).


The amended complaint lists the same defendants and factual allegations as the original complaint. Accordingly, the Court adopts the reasoning set forth in the order screening the original complaint. *See* dkt. 15. Mr. Coleman's Eighth Amendment excessive force claims **shall proceed** against Officers Tierney, Wainman, and Lafare. His failure to protect claims **shall proceed** against Officers Wainman and Lafare. All other claims are **dismissed**.

Mr. Coleman's motion to add a one-page medical record as an exhibit to his amended complaint, dkt. [19], is **granted**.

The defendants have appeared in this action and are represented by counsel. They shall respond to the amended complaint by **June 8, 2022**.

IT IS SO ORDERED.

Date: 5/26/2022



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution:

ROBERT D. COLEMAN
179553
WESTVILLE - CF
WESTVILLE CORRECTIONAL FACILITY
Inmate Mail/Parcels
5501 South 1100 West
WESTVILLE, IN 46391

Matthew Jacob Goldsmith
INDIANA ATTORNEY GENERAL
matthew.goldsmith@atg.in.gov